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Attorney for Anthony Bosworth

UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF WASHINGTON
(HONORABLE JOHN T. RODGERS)

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ANTHONY BOSWORTH,

Defendant.

Case NO: 2:15-PO-0038-JTR

Defendant's Objections to Findings of
Fact and Conclusions of Law

COMES NOW, Anthony Bosworth, by and through his attorney David
Stevens, and hereby objects to the following Findings of Fact and Conclusions of
Law.

FINDINGS OF FACT

6. The sole reason cited to Mr. Bosworth for leaving the plaza was 18 U.S.C. § 930
(930). He was not asked to leave or remove his firearms. He was only asked to leave.

1 8. Mr. Bosworth was in the process of leaving the plaza when he was arrested. He
2 had not been told to leave. He had been asked to leave.

3 9. Mr. Bosworth was arrested for a violation of 18 U.S.C. § 930(a) and was held for
4 several hours and then cited for a violation of 41 C.F.R. § 102-74.385 which is
5 punishable by up to 30 days imprisonment pursuant to 40 U.S.C. § 1315(c)(2).
6

7 CONCLUSIONS OF LAW

8 2. There was no evidence introduced that the Plaza is a place “where Federal
9 employees are regularly present for the purpose of performing their official duties.”
10 18 U.S.C. § 930(g)(1). The evidence showed that plaza was “traversed by Federal
11 employs coming to and from work in the courthouse, and [that] it also the roof of the
12 employees’ parking garage.” See Finding of Fact 2.

13 3. Mr. Bosworth was therefore not in or upon a Federal Facility.

14 5. Establishing a violation of 18 U.S.C. § 930(a) requires actual notice that firearms
15 are prohibited and that there are conspicuous signs announcing the prohibition.
16

17 6. Conspicuous signs are necessary or actual notice that there are signs required
18 pursuant to 18 U.S.C. 930(h) are necessary for a violation of 18 U.S.C. § 930. See
19 *United States v. Lunstede*, 997 F.2d 665 (1993) cited in *United States v. Bichsel*, 395
20 F.3d 1053). Because there were no signs, Mr. Bosworth could not have been in
21 violation of 930.
22

1 7. Because Mr. Bosworth was not in violation of 18 U.S.C. § 930(a), the officer's
2 order to depart was an unlawful order.

3 8. Mr. Bosworth is not guilty of violating 41 C.F.R § 102-74.385 because
4 conspicuous signs prohibiting firearms are not in the plaza
5

6 Dated this 2nd day of November, 2015.

7 Respectfully submitted,

8
9 /s/David Stevens

10 David Stevens, WSBA# 298389

11 Attorney for Defendant Anthony Bosworth

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13 CERTIFICATE OF SERVICE

14 I certify that on Monday, November 02, 2015, I electronically filed the
15 above with the Clerk of the Court using the CM/ECF system which will send
16 notification of such filing to the Assistant United States Attorney assigned to this
17 matter.

18 /s/David Stevens

19 David Stevens, WSBA# 298389

20 Attorney for Anthony Bosworth

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